

REMARKS

This patent application presently includes claims 1 and 3-15, all of which stand rejected. Claim 1 is amended to define the Applicants' invention more clearly, and all rejections are respectfully traversed.

Claims 1-5 were rejected under 35 U.S.C. § 102(e) as anticipated by Talbort et al. published U.S. patent application no. 2002/0116312. This rejection is respectfully traversed. Talbort does not teach or even remotely suggest the invention is presently claimed.

It should be noted that claim 1 now recites that at least one of the lenders is a non-professional investor. In the first full paragraph at page 3 of the Office Action, the Examiner asserts that Talbort discloses this feature in its paragraph 0047. This paragraph reads as follows:

[0047] For example a lender is not necessarily a traditional bank; other financial institutions including mortgage lenders, insurance companies and private equity providers may act as lenders. A person of ordinary skill in the art will recognize these, as well as other, financial institutions that may act as lenders within the scope of the present invention.

Clearly, this does not teach or suggest the claimed feature.

Specifically, paragraph 0047 simply states that the lender need not be a traditional bank but does require the lender to be a "financial institution." In the last sentence of the paragraph, it is again pointed out that the lender must be a financial institution. Clearly, this excludes non-professional investors. One of the primary features of the present invention is that it provides a market place in which non-professionals

can invest. This is not taught or suggested by Talbort or any of the other art of record. Accordingly, this rejection should be withdrawn.

Claims 6-11 and 14 were rejected as obvious over Talbort et al. in view of Kocher published U.S. patent application No. 2003/0061150 and claims 12, 13 and 15 were rejected as obvious over Talbort in view of Kaplan et al. published U.S. patent application No. 2002/0095369. These rejections are respectfully traversed. Neither Talbort, nor any other reference of record, nor any combination thereof renders the present claims obvious.

These rejections still rely upon Talbort which, as pointed out above, does not teach or suggest the invention of claim 1. Moreover, Kocher and Kaplan also do not teach or suggest that a lender could be a non-professional investor. Accordingly, none of the references, nor any combination thereof would render claim 1 obvious. The remaining claims depend either directly or indirectly from claim 1 and are believe to be allowable based upon their dependence from an allowable claim. Accordingly, the two obviousness rejections should be withdrawn and all claims in this application should be allowed.

Applicants' attorney has made every effort to place this patent application in condition for allowance. It is therefore earnestly requested that this application, as a whole, receive favorable reconsideration and that all of the claims be allowed as presently constituted. Should there remain any unanswered questions, the Examiner is requested to call the Applicants' undersigned attorney at the telephone number indicated below.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908)

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654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: February 11, 2005

Respectfully submitted,

By


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